

KENTUCKY BOARD OF RESPIRATORY CARE

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MINUTES

June 29, 2006

A special meeting of the Kentucky Board of Respiratory Care was held at 5:00 p.m., at the Board's offices at 2624 Research Park Drive, Suite 304, Lexington, KY on Thursday, June 29, 2006.

MEMBERS PRESENT

Byron T. Westerfield, M.D., Chair
Klaus O. Becker, Vice-Chair
Anna J. Jones
Pat Fisher
Wade Root
Tami McDaniel
Abdi Vaezy, M.D.

KBRC STAFF

Peggy Lacy Moore, Board Administrator
Rick L. Rose, Administrative Assistant

OTHER

Cheryl Lalonde, AAG

Dr. Westerfield called the meeting to order at 5:15 p.m., in the Board's Conference room in Lexington, KY.

Minutes

Tami McDaniel moved to approve the April 20, 2006 minutes; seconded by Anna Jones. Motion carried unanimously.

Report from CEU Committee - Continuing Education

Wade Root gave an update on the CEU process. The board considered the definition of CEU in regards to the amount of time required to earn credit. The Board agreed that no limit shall be given to the number of CEUs that may be earned at one offering as long as the program meets criteria for relevance and time. Wade Root and Anna Jones will work with Rick Rose to create a guide for CEU approval to enhance continuity and serve as a reference for those submitting CEU applications.

Agreed Orders:

Shirley Henderson KY # 0086

Mrs. Moore told the Board we had received recent updates from Roger Wood, BA, CADC, counselor for Shirley Henderson, and documentation of Ms. Henderson's attendance at AA/NA meetings. Ms. Henderson is in compliance with the terms of her Agreed Order.

Darlene Jackson KY # 4926 – Update on Agreed Order

Mrs. Moore stated we have received documentation that Ms. Jackson is in compliance with the terms of her Agreed Order.

Robert N. Corbett, Jr. KY # 2955 – Update on Agreed Order

Mrs. Moore stated we had received documentation that Mr. Corbett is in compliance with the terms of his Agreed Order.

Oliver “Lee” Adkins KY # 4298 – Update on Agreed Order

Mrs. Moore stated we had received documentation that Mr. Adkins is in compliance with the terms of his Agreed Order.

Debra Moore KY # 0339 – Update on Agreed Order

Anna Jones reported Debra Moore is in compliance with the terms of her Agreed Order. Anna Jones will monitor Ms. Moore for six months according to the terms of the Agreed Order.

Katrina A. Baker KY # 0208 – Update on Agreed Order

Mrs. Moore stated we had received documentation that Ms. Baker is in compliance with the terms of her Agreed Order.

Sharon Barnes KY # 0556 – Update on Agreed Order

Ms. Lalonde discussed the reports from Ms. Barnes and Mr. Fingerson regarding the terms of the original Agreed Order Ms. Barnes had entered into with the Board. It was reported Ms. Barnes had a relapse on a recent drug screen. Wade Root moved to ask Ms. Lalonde to amend the original Agreed Order to include additional language that fortifies the order, a 45-day suspension, and an increase in drug screens to a minimum of 18 drug screens with a maximum of 24 at Ms. Barnes’ expense. Any future relapses shall result in permanent revocation of Ms. Barnes respiratory license. The motion was seconded by Anna Jones; and carried unanimously.

Old Business

Attorney Lisa English Hinkle Withdraws Request by Rockcastle Hospital

Attorney Lisa English Hinkle, representing Rockcastle Hospital, withdrew the request to appear before the Board regarding establishment of a pulmonary nurse aide position at Rockcastle Hospital and Respiratory Care Center, in Rockcastle, Kentucky.

KBRC Regulations: 201 KAR 29:010, 201 KAR 29:015, KAR 201 29:050

Dr. Westerfield discussed our proposed regulation changes which will be reviewed by the Administrative Regulation Review Subcommittee on July 11, 2006. Klaus Becker, Vice-Chair,

Wade Root, Tami McDaniel, and Anna Jones will represent the Board at the meeting. This is the first request since 1990 to increase licensure certification fees with (application fees will stay the same). The applications will be changed to reflect the new fees if the regulations are approved. The renewal form will be updated to reflect the CEU provider numbers and course numbers. The Board also approved elimination of the five (5) CEU carryovers. The following is the old and new fee structure proposed by the Board before the LRC Subcommittee:

Old Fees:	Certification	Application	Totals
Limited/Student:	\$15	\$10	\$25
Mandatory/Temp	\$10	\$50	\$60
Mandatory/NBRC	\$50	\$50	\$100
Proposed Fees:	Certification	Application	Totals
Limited/Student:	\$40	\$10	\$50
Mandatory/Temp	\$35	\$50	\$85
Mandatory/NBRC	\$75	\$50	\$125
Other Fees:	Old Fee	Proposed Fee	
Reinstatement:	\$70	\$150	
Reactivation	\$50	\$75	
Renewal	\$50	\$75	
Inactive Renewal	\$10	\$25	

The Board proposes a \$25 increase in all our fees except inactive renewal where we are proposing a \$15 increase and the reinstatement fee that proposes an \$80 increase. The reason the reinstatement fee is substantially higher is because we made it twice the cost of renewal to create an incentive for people to timely renew. Also, it was discussed that all practitioners will pay the amount for each licensure as noted.

Lonnie Ely Request for Reinstatement - Denied

Ms. Lalonde updated the Board on the Lonnie Ely case. Mr. Ely sought employment to work at Sts. Mary & Elizabeth Hospital in Louisville, KY. Lisa Stamper, supervisor at Sts. Mary & Elizabeth, contacted Mrs. Moore with a faxed license that Mr. Ely produced to work in the sleep lab. This purported license was a false document that Mr. Ely produced to his employer to secure employment. Mr. Ely worked nine (9) days at the hospital. Ms. Stamper was notified Mr. Ely did not hold a current license. Mr. Ely was notified by mail and phone calls that the Board would review his request for certification at the April 20, 2006 meeting.

Ms. Lalonde sent a letter to Lonnie Ely and the Jefferson Co. Attorney's office. Janet Vogt, investigator for the Board, will work with the Jefferson Co. Attorney's office in any prosecution it chooses to pursue.

Complaints

Pursuant to KRS 61.810 (1) (c) and (j), Klaus Becker made a motion for the Board to go into closed session to discuss proposed or pending litigation and individual adjudications. The motion was seconded by Wade Root, and carried unanimously.

Klaus Becker moved to come out of closed session; seconded by Wade Root. Motion carried unanimously.

A. Matthew Mattes KY # 2666

Klaus Becker made a motion to continue the investigation of Matthew Mattes pending the outcome of his criminal case; motion was seconded by Wade Root and carried unanimously.

B. Christina L. Bailey – KY # 4873

Klaus Becker moved to adopt the Hearing Officer's Recommended Order Finding Respondent In Default and Canceling Hearing. The Board authorized Ms. Lalonde to prepare a Final Order revoking Ms. Bailey's license; the motion was seconded by Tami McDaniel and carried unanimously.

C. Denver W. Miller – KY # 4952

The Board reviewed Denver Miller's response regarding a complaint filed against him by Lake Cumberland Regional Hospital. Klaus Becker moved that the case be assigned to Janet Vogt, Investigator, to investigate; the motion was seconded by Anna Jones. Motion carried unanimously.

New Business

Sally Compton Email – Re: Signing Off on Students Working

Mrs. Moore presented an email inquiry from Sally Compton in regard to students working. Ms. Compton inquired whether chart entries by student workers must be signed by techs at the hospital. Ms. Lalonde advised KRS Chapter 314A and 201 KAR Chapter 29 do not squarely address this issue. A motion was made by Klaus Becker, and seconded by Anna Jones, asking Ms. Lalonde to draft a response to Ms. Compton. Motion carried unanimously.

Shelly Berger Email – Re: Signing Off on Students Working

Mrs. Moore presented an email inquiry from Shelly Berger in regard to students working. Ms. Berger made inquiry whether chart entries by student workers must be signed by techs at the hospital. Ms. Lalonde advised KRS Chapter 314A and 201 KAR Chapter 29 do not squarely address this issue. A motion was made by Klaus Becker, and seconded by Anna Jones, asking Ms. Lalonde to draft a response to Ms. Berger. Motion carried unanimously.

Application Review

A motion was made by Klaus Becker to accept all **135** applications since the last meeting; seconded by Anna Jones. Motion carried unanimously.

The following **Student applications (36)** were approved:

Michelle L. Adkins, Gina M. Arnold, Wendy Jolleen Bailey, Ashley M. Chasteen, William S. Chism, Jacqueline M. Dean, Monica F. Ellett, Melissa S. Embry, Charels V. Fletcher, Thomas B. Forester, Carla F. Gibson, Debora Gilley, Winter L. Goldson, John M. Gray, Beverly A. Howard, Desiree Jane Hudspeth, Robert D. Kearns, Brian D. Knoch, Bobbie J. Maggard, Amy N. Mast, Gail R. Neumann, Tina T. Peters, Rebecca R. Price, Davina S. Reed, Tammy D. Reid, Jason B. Rigsby, Kristine E. Ryan, Samuel D. Alvey, Jennifer C. Schaeffer, Marlene Scott, Amanda D. Shelton, Erica N. Shepherd, Emilee A. Sumner, Laura L. Thomas, Jeanine R. Vittitow, and Camilla A. Wunder.

The following **Temporary applications (24)** were approved:

Catherine L. Coltharp, Tracey L. Cohoon, Beth A. Groves, Ryan L. Hall, Amy S. Hamilton, Chandra N. Helton, Trista L. Hendrix, Danielle N. Hensley, Amber D. King, Jamie W. King, James E. Lawson, Rickey L. Morrison, Jennifer M. Parrigin, Alberta D. Perez-Callahan, Modestine Porter, Kellie J. Quinlin, Amanda J. Rice, Amber B. Roberts, Lisa D. Ross, Timothy E. Runyon, Chris L. Spraggs, Sandra K. Utley, Valerie M. Wagoner, Amity L. Walton.

The following **NBRC applications (52)** were approved:

Michelle D. Bell, Nancy D. Bertha, Amanda M. Caughey, Tracy L. Chamberlain, Kristina M. Childress, Susan A Demers, Erica L. Doty, John C. Dye, Shannon F. Fleury, Nathan W. Fowler, Barbara S. Goodnite, Anne J. Griffin, Samantha R. Harrison, Jason L. Helvey, Jackie R. Herran, David W. Humphrey, Tamara A. Jude, Thomas King, Richard L. Leger, Jessica A. Lichsteiner, Dontee' L. Maddox, Jessica B. May, Rhonda D. Maynard, Evie R. McDonner, Annette R. Melville, Yuvonda L. Adkins Monroe, April N. Morris, Kelly R. Naas, Cancer Newman, III, Jessica D. Ollis, Allison R. Patton, Michael H. randy, Ashley D. Reynolds, Courtney E. Reynolds, Jennifer A. Risner, T. J. Sanders, Kimberly A. Sebastian, Christopher M. Schmidt, Thomas A. Slay, Kenneth L. Stricklen, Melissa A. Stroud, Timothy R. Switzer, Shannon L. Teater, Charles Patrick Terkhorn, Thomas R. Thacker, Shannon M. Thomas, Hieu N. Trinh, Mary Jane Tucker, Steven Troy Walls, Ronnie D. White, and Ashley D. Willhelm .

The following **Reciprocity applications (25) were** approved:

Melissa L. Arthur, Sunday O. Ayangade, Angie M. Allinder, Julie K. Barker, Virginia G. Cantrell, Della H. Carroll, Alaina V. Daniels, Angela M. Dillard, Vancessa R. Fields, Deborah Fitzmaurice, Amy R. France, Candyce M. Guy, Carla Jo Hale, Kelley M. Hay, Seth D. Hughes, David R. Jenkins, Ronald W. Joyner, Connie J. Krohn, Teresa A. Masters, Paula M. Moody, Nina R. Neal, Cynthia L. Rodgers, Lori M. Speier, Williams J. Stadnik, Helen A. Whelchel.

Wade Root made a motion to adjourn the meeting at 7:00 p.m.; seconded by Dr. Vaezy. Motion carried unanimously.

Dr. B.T. Westerfield, Chair
KY Respiratory Care Board